

REMARKS

Claims 1-27 were examined. In the instant Office Action the Examiner has raised several issues, which are set forth below in the order they are herein addressed.

A. Claims 1, 11-14, and 27 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Publication No. US 2003/0227386 of Pulkkinen *et al.* (Pulkkinen), in view of Conway (Pat. No. 5,732,401).

B. Claims 2-4 and 15-19 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Pulkkinen, in view of Conway, and further in view of Publication No. US 2002/0188509 of Ariff *et al.* (Ariff); and

C. Claims 5-10 and 21-26 stand rejected under 35 U.S.C. § 103(a), as allegedly unpatentable over Pulkkinen, in view of Conway, and further in view of Ariff, and in further view of U.S. Patent No. 7,024,154 by Koepper *et al.* (Koepper).

Although Applicant respectfully disagrees with these rejections, Applicant hereby amends Claims 1, 9, 11, 25 and 27, in order to better define one embodiment of the invention, and to further the prosecution of the present application and Applicant's business interests, yet without acquiescing to the Examiner's arguments, while reserving the right to prosecute the original, similar, or broader claims in one or more future application(s). The amendments do not introduce new matter.

A) Claims 1, 11-14 and 27 Are Not Obvious In View Of Pulkkinen and Conway

The Applicant thanks the Examiner for considering the submissions of 17 April, 2008 and notes that the Examiner concurs that Pulkkinen *et al.* (Pub. No. US 2003/0227386) does not teach or suggest activity codes that are unique. The Examiner now combines Pulkkinen with Conway to argue obviousness. Applicant traverses the rejection.

As indicated in the earlier submission, the claimed invention of the present application is directed to a method of processing data for the administration of an organization. In particular, element data represent details of workplace elements, and activity data is recorded during workplace activities associated with the workplace elements. Each workplace activity is associated with a unique activity code, which is associated with the activity data and element data of that workplace activity.

Claim 1 has been amended to recite explicitly the step of generating a unique activity code for each one of the workplace activities (see, for example, page 23, lines 5 to 25, page 39, lines 21 to 25). Further, the step of associating the unique activity codes with the element data and the activity data written in the database has been amended to reflect that the association of the activity codes is based on the workplace activities. Claim 1 has been further amended to recite the step of generating at least one save table from the element data and the activity data written in the database, wherein each save table contains element data associated with related workplace elements and each row of each save table is associated with one of the activity codes (see, for example, Figs 12 to 21). Finally, claim 1 has been amended to recite the step of using the activity codes as keys for retrieval of element data and activity data from at least one selected set of the save tables (see, for example, page 30, lines 7 to 14, page 30, lines 31 to page 31, line 2, page 37, line 33 to page 38, line 27).

Claim 11 is an apparatus claim corresponding to the method of claim 1, and claim 27 is a computer claim directed to implementing the method of claim 1. Similar amendments to those described above with reference to claim 1 have been proposed to independent claims 11 and 27.

As indicated at page 38, lines 9 to 20 of the specification as filed, the generation of the save tables that carry activity codes facilitates retrieval of any set of details from the save tables by using the activity codes as data mining tools.

The Applicant submits that the procedure identifiers described in Conway relate to an overall procedure performed within a predefined location, as required by the system of transponder tags and readers described therein. The procedure identifiers of Conway appear to identify a nature of the procedure itself, and thus teach away from the presently claimed invention, in which activity codes and activity data are clearly differentiated from one another, with the activity data containing information about the workplace activity that was being performed at the time the activity data was recorded. The unique activity codes of the present application are identifiers that are utilised for subsequent retrieval of recorded element data and activity data.

The Applicant submits that there is no teaching or suggestion in Pulkkinen or Conway of generating save tables from the recorded element data and the activity data, wherein each save table contains element data associated with related workplace elements (e.g., patient details, operations, assets, professionals, products, etc.) and each row of each of the save tables is

associated with one of the activity codes.

The Applicant further submits that there is no teaching or suggestion by Pulkkinen, when considered alone or in combination, of using activity codes as keys for retrieving element data and activity data from at least one selected set of the save tables.

The Applicant submits that all of the features of independent claims 1, 11, and 27 are neither taught nor suggested by Pulkkinen, whether considered alone or in view of Conway. Thus, the Applicant submits that claims 1, 11, and 27, and all of the claims that depend therefrom, are patentable over Pulkkinen in view of Conway. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

B) Claims 2-4 and 15-19 Are Patentable Over Pulkkinen And Conway In View of Ariff

The Examiner has rejected Claims 2-4 and 15-19 under 35 U.S.C. § 103(a), as allegedly unpatentable over Pulkkinen in view of Conway, and further in view of Publication No. US 2002/0188509 of Ariff *et al.* (Ariff). Applicant does not agree. Claims 2 to 4 depend from claim 1 and claims 15 to 19 depend from claim 11. As described above, the Applicant submits that Pulkkinen in view of Conway fails to teach or suggest the generation and association of unique activity codes, the generation of at least one save table from element data and activity data, and the use of the activity codes for retrieving element data and activity data from at least one selected set of save tables.

Pub. No. US 2002/0188509 (Ariff *et al.*) relates to purchaser incentive and awards redemption programs. Paragraph [0066] of Ariff describes a system that “*may compile any of the above data across multiple participants for the purpose of data analysis*”. There is, however, no teaching or suggestion of the generation of save tables from the element data and activity data, wherein each save table contains element data associated with related workplace elements and each row of each of the save tables is associated with one of the activity codes, as required by the amended form of the independent claims of the present application. Ariff does not utilise activity codes in each row of each of the save tables to enable the retrieval of element data and activity data.

Thus, even if Pulkkinen was to be combined with Conway and Ariff in the manner suggested by the Examiner, the Applicant submits that such a combination would not arrive at the invention of claims 2 to 4 and 15 to 19.

Claim 2 depends from claim 1 and qualifies the step of generating element data to include the step of building a registration database that includes at least one look-up table that stores element codes and the element data such that each element code represents a predetermined component of the element data associated with that element code. The Applicant submits that the SKU lookup table described in Ariff relates to a database of element data and does not teach or suggest element codes, wherein each element code represents a predetermined component of the element data associated with that element code. Further, the SKU lookup table of Ariff does not appear to relate to activity data recorded during workplace activities. Thus, the Applicant submits that claim 2 is not obvious in light of Pulkkinen in view of Conway and further in view of Ariff. Similar arguments are applicable to claim 15.

Claim 3 depends from claim 2 and specifies that the step of generating element data includes the step of converting each element code in the registration database into a barcode and applying the barcode to respective workplace elements, the step of recording the element data including the step of scanning the barcodes. The Applicant submits that claim 3 is not obvious in light of Pulkkinen in view of Conway and further in view of Ariff, for at least the reasons presented above in respect of claim 2. Similar arguments are applicable to claim 16.

Claim 4 depends from claim 3 and specifies that the step of writing the element data and the activity data to the database includes the step of writing the element codes to intermediate files together with defining parameters, such that each activity is associated with an intermediate file. The Applicant submits that claim 4 is not obvious in light of Pulkkinen in view of Conway and further in view of Ariff, for at least the reasons presented above in respect of claims 2 and 3.

Claim 16 is dependent on claim 15, which depends from claim 11. The Applicant submits that claim 16 is not obvious in light of Pulkkinen in view of Conway and further in view of Ariff, for at least the reasons presented above in respect of claim 15.

Claim 17 is dependent on claim 16, which depends from claim 15. The Applicant submits that claim 17 is not obvious in light of Pulkkinen in view of Conway and further in view of Ariff, for at least the reasons presented above in respect of claim 15.

Claim 18 is dependent on claim 17, which depends from claim 16, which in turn depends from claim 15. The Applicant submits that claim 18 is not obvious in light of Pulkkinen in view of Conway and further in view of Ariff, for at least the reasons presented above in respect of claim 15.

Claim 19 is dependent on claim 18, which depends from claim 17, which depends from claim 16, which in turn depends from claim 15. The Applicant submits that claim 19 is not obvious in light of Pulkkinen in view of Conway and further in view of Ariff, for at least the reasons presented above in respect of claim 15.

Since Pulkkinen and Conway do not teach or suggest all elements of independent Claims 1 and 11, and since Ariff does not remedy this deficiency, dependent Claims 2-4 and 15-19 are not obvious in light of the combination of Pulkkinen, Conway and Ariff. Accordingly, Applicant respectfully requests that this rejection be withdrawn.

C) Claims 5-10 and 21-26 Are Patentable Over Pulkkinen In View Conway, Ariff And Koepper

The Examiner has rejected Claims 5-10 and 21-26 under 35 U.S.C. § 103(a), as allegedly unpatentable over Pulkkinen, in view of Conway, Ariff, and in further view of U.S. Patent No. 7,024,154 by Koepper *et al.* (Koepper). Applicant does not agree. Claim 5 depends from claim 4, and introduces the step of generating a delimited text file for each activity, with the element codes, the activity code and the defining parameters of that activity, to define the intermediate file, such that each field of the delimited text file contains one variable element code, the activity code and the remaining element codes. As argued above, the Applicant submits that Pulkkinen, when considered alone or in view of Conway, fails to disclose generating unique activity codes for each workplace activity and then associating those unique activity codes with generated element data and activity data recorded during a workplace activity. Further, Pulkkinen, when considered alone or in view of Conway, fails to disclose generating save tables from the recorded element data and the activity data, wherein each save table contains element data associated with related workplace elements and each row of each of the save tables is associated with one of the activity codes. The Applicant further submits that there is no teaching or suggestion by Pulkkinen, when considered alone or in combination, of using activity codes as keys for retrieving element data and activity data from at least one selected set of the save tables.

US Patent No. 7,024,154 (Koepper *et al.*) relates to a method of processing training data. Koepper does not disclose the creation of a comma delimited text file for each activity. Nor does Koepper disclose each field of the delimited text file containing one variable element code, the activity code and the remaining element codes. Thus, even if Pulkkinen were to be combined

with Conway, Ariff, and Koepper in the manner proposed by the Examiner, the Applicant submits that such a combination would not arrive at the invention of claim 5. Similar arguments are applicable in respect of claim 21.

Claim 6 depends from claim 5 and introduces the further step of importing data from the delimited text files to imported data tables, such that each row of each imported data table represents a field of the associated delimited text file, with one column of each imported data table containing variable element codes and a number of columns of each imported data table containing said remaining element codes. The Applicant submits that claim 6 is not obvious in light of Pulkkinen in view of Conway, Ariff and Koepper for at least the reasons presented above with respect to claim 5. Similar arguments are applicable in respect of claim 22.

Claim 7 depends from claim 6 and includes the further step of expanding at least one of the element codes representing a group of workplace elements into element codes representing the workplace elements of that group. The Applicant submits that claim 7 is not obvious in light of Pulkkinen in view of Conway, Ariff and Koepper for at least the reasons presented above with respect to claims 5 and 6. Similar arguments are applicable in respect of claim 23.

Claim 8 depends from claim 6 and further includes the step of importing start and finish time details into a column of the imported data table. The Applicant submits that claim 8 is not obvious in light of Pulkkinen in view of Conway, Ariff and Koepper for at least the reasons presented above with respect to claims 5 and 6. Similar arguments are applicable in respect of claim 24.

Claim 9 depends from claim 7 and further includes the step of carrying out a look-up operation on the registration database and the imported data tables, wherein each save table has a column of activity codes and columns of workplace element details and so that each activity code can be associated with a set of workplace element details. The Applicant submits that claim 9 is not obvious in light of Pulkkinen in view of Conway, Ariff and Koepper for at least the reasons presented above with respect to claims 5 and 6. Similar arguments are applicable to claim 25.

Claim 10 depends from claim 9 and further qualifies the step of applying predetermined algorithms to the element data and the activity data to generate reports to include calculating cost components associated with various workplace activities and generating account reports. The Applicant submits that claim 10 is not obvious in light of Pulkkinen in view of Conway, Ariff

and Koepper for at least the reasons presented above with respect to claims 5, 6, and 9.
Similar arguments are applicable to claim 26.

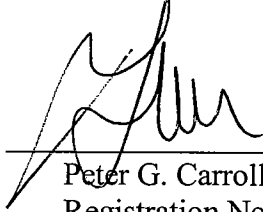
Thus, even if Pulkkinen was combined with Conway, Ariff and Koepper in the manner suggested by the Examiner, Applicant submits that such a combination would not arrive at the invention of Claims 5-10 and 21-26. As the claims are not obvious in light of the combination of Pulkkinen, Conway, Ariff and Koepper, Applicant respectfully requests that this rejection be withdrawn.

CONCLUSION

Applicant believes the arguments and amendments set forth above traverse the Examiner's rejections and, therefore requests that a timely Notice of Allowance be issued in this case. However, should the Examiner believe a telephone interview would aid in the prosecution of this application, Applicant encourages the Examiner to call the undersigned collect.

Dated: January 20, 2009

By: _____


Peter G. Carroll
Registration No. 32,837

MEDLEN & CARROLL, LLP
101 Howard Street, Suite 350
San Francisco, California 94105
781.828.9870